

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TODD BRINKMEYER

Petitioner,

v.

WASHINGTON STATE LIQUOR AND
CANNABIS BOARD,

Respondent.

Case No. 3:20-cv-05661-BHS

**DECLARATION OF SCOTT ATKISON IN
SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, Scott Atkison, hereby declare and state as follows:

1. I am over the age of eighteen, have personal knowledge of the matters contained in the Declaration, and am competent to testify thereto.

2. I am the approved licensee for four marijuana retail stores (the "Stores") licensed by the Washington State Liquor and Cannabis Board (the "LCB"). As a part owner of the Stores, I exercise oversight of store operations.

3. I have been close friends with Todd Brinkmeyer for 25 years. Todd currently lives 30 minutes from me. I reside in Washington, and Todd resides in Idaho.

4. Todd has provided business advice to me and has made loans to the Stores. I value his business advice and judgment. However, because Todd is not a Washington resident, I cannot compensate him with an equity share in the Stores in the same manner that other, non-cannabis

1 businesses are able to compensate their advisors or employees. From my experience as a business
2 owner and executive in other industries, I recognize that the inability to compensate advisors and
3 employees with equity interferes with the Stores' ability to attract and retain the best talent.

4 5. I have survived for over five and one-half years with Stage IV cancer, however, my
5 health has progressed to where it is prudent for me to plan out the disposition of my estate. That
6 includes making arrangements to ensure continuity of business operations at the Stores. I care
7 about the team who has contributed to the Stores' success, and I do not wish to see my ownership
8 sold under duress, which could put undue stress on the Stores' other owners and business
9 operations. I want to make sure that I can hand my ownership over to someone that I trust will do
10 right by the other owners, the Stores, and the team members. The person I believe to be the best
11 for carrying on the same ownership values and principles that I have brought to the Stores is Todd
12 Brinkmeyer. As part of my estate planning, I would like to transfer part of my ownership interest
13 in the Stores to Todd, and I will do so if the LCB will allow it.

14 6. The uncertainty regarding what will happen to the Stores after I pass causes me
15 distress, and it would give me peace of mind if I knew that the LCB would allow Todd to become
16 an owner and take over oversight responsibility in the Stores.

17
18 *Pursuant to 18 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and*
19 *correct to the best of my knowledge.*

20
21 EXECUTED in Bend, OR on this 5th day of August, 2020

22
23 DocuSigned by:
Scott Atkison
24696A0CEFC7431...

24 Scott Atkison

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

SIGNED at Seattle, Washington this 6th day of August, 2020.

Brie Geffre, Legal Assistant